

WEMHH/SB/21 (6/04)

Approved for use through 07/31/2006. OMB 0651-0031

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

		Application Number	10/612,852
		Filing Date	July 3, 2003
		First Named Inventor	Joel S. Douglas
		Art Unit	3736
		Examiner Name	Unassigned
Total Number of Pages in This Submission		Attorney Docket Number	7404-543

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawings	<input type="checkbox"/> After Allowance communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Return Receipt Postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) <input type="text"/>	Form SB/08A
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Copy of Cited Foreign References	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or individual name	Elizabeth A. Shuster, Reg No. 52,672 Woodard, Emhardt, Moriarty, McNett & Henry LLP
Signature	
Date	November 24, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below

Typed or printed name	Elizabeth A. Shuster
Signature	
Date	November 24, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



007404-000543, ESHUSTER 314523

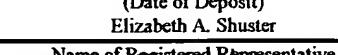
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)
Joel S. Douglas, et al.) Before the Examiner
) Unassigned
Serial No.10/612,852)
) Group Art Unit
Filed July 3, 2003) 3736
)
METHODS AND APPARATUS) November 24, 2004
FOR SAMPLING AND)
ANALYZING BODY FLUID)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450 on

November 24, 2004

(Date of Deposit)
Elizabeth A. Shuster

Name of Registered Representative

Signature

November 24, 2004

Date of Signature

INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicant requests consideration of the references listed on attached form PTO-1449 (PTO/SB08A&B) and/or the additional information identified below in paragraph 4. A legible copy of each foreign patent document and publication listed on form PTO-1449 is enclosed, except:

[X] a copy is not provided for each reference previously cited by or submitted to the Patent Office in prior parent application Serial No. 09/887,574 filed June 21, 2001, which is a continuation of Serial No. 09/552,243 filed April 19, 2000, now U.S. Patent No. 6,352,514, which is a continuation of Serial No. 09/298,386 filed April 23, 1999, now U.S. Patent No. 6,099,484, which is a continuation of Serial No. 08/858,042 filed May 16, 1997, now U.S. Patent No. 5,951,492 and/or

la. This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application (other than a continued prosecution application), or

before the mailing date of the first Office Action on the merits.

and thus no certification and/or fee is required.

Information Disclosure Statement

Information Disclosed
Serial No. 10/612,852

Group Art Unit 3736

Attorney Docket No. 7404-543: WP 21213 US4

Page 1 of 3

1b. This Information Disclosure Statement is submitted after the events of above paragraph 1a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus:

- (1) the certification of paragraph 2 below is provided, **or**
- (2) a fee of \$ _____ (set forth in 37 CFR §1.17(p)) is enclosed.

1c. This Information Disclosure Statement is submitted after the mailing date of a final Office Action or Notice of Allowance and prior to payment of the issue fee, and thus:

- (1) **the certification of paragraph 2 below is provided, and a fee of \$ _____ (set forth in 37 CFR §1.17(p)) is enclosed; or**
- (2) a Request for Continued Examination (RCE) has been filed.

2. It is hereby certified

- a. that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement, or
- b. that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.
- c. A copy of a dated communication from a foreign patent office which clearly shows the statement is being submitted within three (3) months of the date on the communication is enclosed.

3. A copy of a Search Report or Written Opinion from a foreign patent office is enclosed.

4.. Consideration of the following additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.

5. For each non-English language reference listed on the attached form PTO-1449, reference is made to:

- a. an English language translation submitted herewith,
- b. a foreign patent office search report (in the English language) submitted herewith,

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Serial No. 10/612,852

Group Art Unit 3736

Attorney Docket No. 7404-543; WP 21213 US4

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- c. [] an English language translation of a foreign patent office search report submitted herewith,
- d. [] the concise explanation contained in the specification of the present application at page's _____,
- e. [] the concise explanation set forth in the attached English language abstract,
- f. [] a copy of a related patent publication (in the English language) submitted herewith,
- g. [] the concise explanation set forth below:

The filing of this Information Disclosure Statement shall not be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in §1.56(b).

It is believed that no additional fees are required. Should any other fee be required, however, please charge such fee to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully Submitted,



Elizabeth A. Shuster, Reg. No. 52,672
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WEMMH/SB/08A (4/03)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/PTO				Complete if Known	
				Application Number	10/612,852
				Filing Date	7/3/2003
				First Named Inventor	DOUGLAS, J. ROE, RADWANSKI, DUCHON
				Group Art Unit	3736
				Examiner Name	Not Assigned
				Attorney Docket Number	7404-543
Sheet 1 of 2					

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
		0,720,906	02-17-1903	Eilrich et al.	
		4,983,178	01-08-1991	Schnell	
		5,212,879	05-25-1993	Biro et al.	
		5,314,441	05-24-1994	Cusack et al.	
		5,439,473	08-08-1995	Jorgensen	
		5,476,474	12-19-1995	Davis et al.	
		5,529,581	06-25-1996	Cusack	
		5,757,666	05-26-1998	Schreiber et al.	
		5,820,570	10-13-1998	Erickson et al.	
		5,879,367	03-09-1999	Latterell et al.	
		5,951,492	09-14-1999	Douglas et al.	
		5,951,493	09-14-1999	Douglas et al.	
		6,071,250	06-06-2000	Douglas et al.	
		6,206,841	03-27-2001	Cunningham et al.	
		6,530,892	03-11-2003	Kelly	
		US 2003/0069509 A1	04-10-2003	Matzinger et al.	
		US 2003/0083685 A1	05-01-2003	Freeman et al.	
		US 2003/0083686 A1	05-01-2003	Freeman et al.	
		US 2003/0088191 A1	05-08-2003	Freeman et al.	
		US 2003/0191415 A1	10-09-2003	Moerman et al.	
		US 2003/0199789 A1	10-23-2003	Boecker et al.	
		US 2003/0199790 A1	10-23-2003	Boecker et al.	

Examiner Signature		Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.

Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	10/612,852
(use as many sheets as necessary)				Filing Date	7/3/2003
				First Named Inventor	DOUGLAS, J. ROE, RADWANSKI, DUCHON
				Group Art Unit	3736
				Examiner Name	Not Assigned
Sheet	2	of	2	Attorney Docket Number	7404-543
U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date	Name of Patentee or Application of Cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)	MM-DD-YYYY		
		US 2003/0199791 A1	10-23-2003	Boecker et al.	
		US 2003/0199898 A1	10-23-2003	Boecker et al.	
		US 2003/0199899 A1	10-23-2003	Boecker et al.	
		US 2003/0199902 A1	10-23-2003	Boecker et al.	
		US 2003/0199903 A1	10-23-2003	Boecker et al.	
		US 2003/0199911 A1	10-23-2003	Boecker et al.	
		US 2003/0208140 A1	11-06-2003	Pugh	
		US 2003/0212424 A1	11-13-2003	Briggs et al.	
		US 2003/0233112 A1	12-18-2003	Alden et al.	
		US 2003/0233113 A1	12-18-2003	Alden et al.	

Examiner Signature	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

3

of

3

Complete if Known

Application Number	10/612,852
Filing Date	7/3/2003
First Named Inventor	DOUGLAS, J. ROE, RADWANSKI, DUCHON
Group Art Unit	3736
Examiner Name	Not Assigned
Attorney Docket Number	7404-543

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite 1 No.	Foreign Patent Document Country Code ² Number ³ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T ⁶
		EP 1 112 717 A1	07-04-2001	Abbott Laboratories		<input type="checkbox"/>
		JP 9-276235	10-28-1997	Dainippon Printing Co., Ltd.		<input type="checkbox"/>
		WO 02/08753 A2	01-31-2002	Hypoguard Limited		<input type="checkbox"/>
		WO 93/02720 A1	02-18-1993	Zenia International		<input type="checkbox"/>
		WO 93/12726	07-08-1993	Steinweg		<input type="checkbox"/>
		WO 94/016737 A1	08-04-1994	Weiner et al.		<input type="checkbox"/>
		WO 99/44508	09-10-1999	Spectrx, Inc.		<input type="checkbox"/>

Examiner Signature	Date Considered
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EXAMINER: Initial If reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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